

84TH CONGRESS 1st Session	}	HOUSE OF REPRESENTATIVES	}	REPORT No. 4
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AUTHORIZING THE PRESIDENT TO EMPLOY THE ARMED FORCES
OF THE UNITED STATES FOR PROTECTING THE SECURITY OF
FORMOSA, THE PESCADORES, AND RELATED POSITIONS AND
TERRITORIES OF THAT AREA

JANUARY 24, 1955.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. RICHARDS, from the Committee on Foreign Affairs, submitted the
following

R E P O R T

[To accompany H. J. Res. 159]

The Committee on Foreign Affairs, to whom was referred the joint resolution (H. J. Res. 159) authorizing the President to employ the Armed Forces of the United States for protecting the security of Formosa, the Pescadores, and related positions and territories of that area, having considered the same, report favorably and unanimously thereon without amendment and recommend that the joint resolution do pass.

COMMITTEE ACTION

On January 24, 1955, the President of the United States transmitted to the Congress a message requesting the Congress to take appropriate action to carry out certain recommendations concerning the use of Armed Forces of the United States, if necessary, to assure the security of Formosa, the Pescadores, and related positions and territories of that area. The text of the message follows:

To the Congress of the United States:

The most important objective of our Nation's foreign policy is to safeguard the security of the United States by establishing and preserving a just and honorable peace. In the Western Pacific a situation is developing in the Formosa Straits that seriously imperils the peace and our security.

Since the end of Japanese hostilities in 1945, Formosa and the Pescadores have been in the friendly hands of our loyal ally, the Republic of China. We have recognized that it was important that these islands should remain in friendly hands. In unfriendly hands, Formosa and the Pescadores would seriously dislocate the existing, even if unstable, balance of moral, economic, and military forces upon which the peace of the Pacific depends. It would create a breach in the island chain of the Western Pacific that constitutes, for the United States and other free nations, the geographical backbone of their security structure in that ocean. In addition, this breach would interrupt north-south communications between other important elements of that barrier, and damage the economic life of countries friendly to us.

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The United States and the friendly Government of the Republic of China, and indeed all the free nations, have a common interest that Formosa and the Pescadores should not fall into the control of aggressive Communist forces.

Influenced by such considerations, our Government was prompt, when the Communists committed armed aggression in Korea in June 1950 to direct our 7th Fleet to defend Formosa from possible invasion from the Communist mainland.

These considerations are still valid. The 7th Fleet continues under Presidential directive to carry out that defensive mission. We also provide military and economic support to the Chinese Nationalist Government and we cooperate in every proper and feasible way with that Government in order to promote its security and stability. All of these military and related activities will be continued.

In addition, there was signed last December a mutual defense treaty between this Government and the Republic of China covering Formosa and the neighboring Pescadores. It is a treaty of purely defensive character. That treaty is now before the Senate of the United States.

Meanwhile Communist China has pursued a series of provocative political and military actions, establishing a pattern of aggressive purpose. That purpose, they proclaim, is the conquest of Formosa.

In September 1954 the Chinese Communists opened up heavy artillery fire upon Quemoy Island, one of the natural approaches to Formosa, which had for several years been under the uncontested control of the Republic of China. Then came air attacks of mounting intensity against other free China islands, notably those in the vicinity of the Tachen group to the north of Formosa. One small island (Ichiang) was seized last week by air and amphibious operations after a gallant few fought bravely for days against overwhelming odds. There have been recent heavy air attacks and artillery fire against the main Tachen Islands themselves.

The Chinese Communists themselves assert that these attacks are a prelude to the conquest of Formosa. For example, after the fall of Ichiang, the Peiping radio said that it showed a "determined will to fight for the liberation of Taiwan (Formosa). Our people will use all their strength to fulfill that task."

Clearly, this existing and developing situation poses a serious danger to the security of our country and of the entire Pacific area and indeed to the peace of the world. We believe that the situation is one for appropriate action of the United Nations under its charter, for the purpose of ending the present hostilities in that area. We would welcome assumption of such jurisdiction by that body.

Meanwhile, the situation has become sufficiently critical to impel me, without awaiting action by the United Nations, to ask the Congress to participate now, by specific resolution, in measures designed to improve the prospects for peace. These measures would contemplate the use of the Armed Forces of the United States if necessary to assure the security of Formosa and the Pescadores.

The actions that the United States must be ready to undertake are of various kinds. For example, we must be ready to assist the Republic of China to re-deploy and consolidate its forces if it should so desire. Some of these forces are scattered throughout the smaller offshore islands as a result of historical rather than military reasons directly related to defending Formosa. Because of the air situation in the area, withdrawals for the purpose of redeployment of Chinese Nationalist forces would be impractical without assistance of the Armed Forces of the United States.

Moreover, we must be alert to any concentration or employment of Chinese Communist forces obviously undertaken to facilitate attack upon Formosa, and be prepared to take appropriate military action.

I do not suggest that the United States enlarge its defensive obligations beyond Formosa and the Pescadores as provided by the treaty now awaiting ratification. But unhappily, the danger of armed attack directed against that area compels us to take into account closely related localities and actions which, under current conditions, might determine the failure or the success of such an attack. The authority that may be accorded by the Congress would be used only in situations which are recognizable as parts of, or definite preliminaries to, an attack against the main positions of Formosa and the Pescadores.

Authority for some of the actions which might be required would be inherent in the authority of the Commander in Chief. Until Congress can act I would not hesitate, so far as my constitutional powers extend, to take whatever emergency action might be forced upon us in order to protect the rights and security of the United States.

However, a suitable congressional resolution would clearly and publicly establish the authority of the President as Commander in Chief to employ the Armed Forces of this Nation promptly and effectively for the purposes indicated if in his

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judgment it became necessary. It would make clear the unified and serious intentions of our Government, our Congress, and our people. Thus it will reduce the possibility that the Chinese Communists, misjudging our firm purpose and national unity, might be disposed to challenge the position of the United States, and precipitate a major crisis which even they would neither anticipate nor desire.

In the interest of peace, therefore, the United States must remove any doubt regarding our readiness to fight, if necessary, to preserve the vital stake of the free world in a free Formosa, and to engage in whatever operations may be required to carry out that purpose.

To make this plain requires not only Presidential action but also congressional action. In a situation such as now confronts us, and under modern conditions of warfare, it would not be prudent to await the emergency before coming to the Congress. Then it might be too late. Already the warning signals are flying.

I believe that the threatening aspects of the present situation, if resolutely faced, may be temporary in character. Consequently, I recommend that the resolution expire as soon as the President is able to report to the Congress that the peace and security of the area are reasonably assured by international conditions, resulting from United Nations action or otherwise.

Again I say that we would welcome action by the United Nations which might, in fact, bring an end to the active hostilities in the area. This critical situation has been created by the choice of the Chinese Communists, not by us. Their offensive military intent has been flaunted to the whole world by words and by deeds. Just as they created the situation, so they can end it if they so choose.

What we are now seeking is primarily to clarify present policy and to unite in its application. We are not establishing a new policy. Consequently, my recommendations do not call for an increase in the Armed Forces of the United States or any acceleration in military procurement or levels of defense production. If any unforeseen emergency arises requiring any change, I will communicate with the Congress. I hope, however, that the effect of an appropriate congressional resolution will be to calm the situation rather than to create further conflict.

One final point. The action I request is, of course, no substitute for the treaty with the Republic of China which we have signed and which I have transmitted to the Senate. Indeed, present circumstances make it more than ever important that this basic agreement should be promptly brought into force, as a solemn evidence of our determination to stand fast in the agreed treaty area and to thwart all attacks directed against it. If delay should make us appear indecisive in this basic respect, the pressures and dangers would surely mount.

Our purpose is peace. That cause will be served if, with your help, we demonstrate our unity and our determination. In all that we do we shall remain faithful to our obligations as a member of the United Nations to be ready to settle our international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

For the reasons outlined in this message, I respectfully request that the Congress take appropriate action to carry out the recommendations contained herein.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE,
January 24, 1955.

Following the delivery of the message, and considering the emergency presented therein, House Joint Resolution 159, carrying out the recommendations of the President, was introduced by the chairman of the committee, the Honorable James P. Richards. The committee, thoroughly aware of the emergency involved, held a hearing on the resolution the same day, with the Secretary of State, Hon. John Foster Dulles, and the Chairman of the Joint Chiefs of Staff, Adm. Arthur W. Radford, both testifying in executive session, and ordered the resolution favorably and unanimously reported without amendment by a vote of 28 to 0.

In considering the resolution the committee gave special attention to certain questions:

Geographical limits

The committee considered in detail the desirability of the establishment of specific geographical limits and giving potential aggressors notice that violation of such boundaries would be met by armed resistance on the part of the United States. In their testimony

before the committee both Admiral Radford and Secretary Dulles cited specific cases illustrating the impracticability of listing individual islands or delineating in terms of latitude and longitude the areas to be defended. The committee concluded that precise definitions tend to tie the hands of the United States to an undesirable extent.

The United Nations

The committee gave special consideration to the possibility of action by the United Nations in this area. As stated by the President in his message:

We believe that the situation is one for appropriate action of the United Nations, under its charter, for the purpose of ending the present hostilities in that area. We would welcome assumption of such jurisdiction by that body.

The United States remains faithful to its obligations under the United Nations Charter and would accept an end of present hostilities under United Nations jurisdiction through measures of its taking. The urgency of the danger and the need for immediate measures, however, make it essential to grant this authority without awaiting assumption of jurisdiction by the United Nations.

Powers of the President

The committee considered the relation of the authority granted by the resolution and the powers assigned to the President by the Constitution. Its conclusion was that the resolution in this form, while making it clear that the people of the United States stand behind the President, does not enter the field of controversy as to the respective limitations of power in the executive and the legislative branches. Acting together, there can be no doubt that all the constitutional powers necessary to meet the situation are present.

Attitude of the Joint Chiefs of Staff

The committee gave particular attention to the military situation of Formosa. It was assured by Admiral Radford, Chairman of the Joint Chiefs of Staff, that the Joint Chiefs of Staff were unanimous in approving the action authorized by the resolution.

CONCLUSIONS

In reporting the resolution the committee recognizes the serious nature and the full implications of the course of action which it authorizes. The primary objective of the resolution is to deter further Chinese Communist aggression. This requires action now. Failure to act now against Chinese Communist aggression offers a risk as great, if not greater, than action. The Congress in this resolution recognizes this fact and expresses its approval of the broad direction of our foreign policy. It authorizes the President to decide the time, the place, and the substance of defensive action that he may find necessary to take in support of that policy.

The present activities of the Chinese Communists center around a few islands off the China coast. This limited geographic operation cannot obscure the larger pattern that is unfolding in the Western Pacific. It is part of the progressive chipping away of the free world. The fate of Formosa, of the non-Communist peoples of Asia, and of our own defensive line is at stake. The support given to the President, as expressed in this resolution, will enable him to act calmly, clearly, and resolutely to stem the erosion of the free world.

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